

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SKYLINE POTATO COMPANY, INC.,
a Colorado corporation,

Plaintiff,

vs.

CIVIL NO. 10-698 JB/RHS

TAN-O-ON, INC., a Colorado Corporation, et al.,

Defendants.

ORDER SETTING SETTLEMENT CONFERENCE

THIS MATTER has been referred to the Honorable Robert Hayes Scott, United States Magistrate Judge for a settlement conference. Pursuant to that referral, all parties and counsel of record are hereby notified that the Settlement Conference is scheduled for **TUESDAY, OCTOBER 4, 2011, at 9:00 A.M., in Chambers 620, 6th Floor, Pete V. Domenici United States District Courthouse, 333 Lomas Boulevard, N.W., Albuquerque, New Mexico.**

The following persons shall attend and must be personally present during the entire conference:

1. All parties of record including those parties who are represented by counsel.
2. All counsel of record.
3. All persons with complete settlement authority including but not limited to insurance company representatives and guardians ad litem. The Court will not approve excusals or telephonic appearances of persons with settlement authority without the filing of a timely motion for excusal. The Court may refuse the motion to waive attendance and/or telephonic appearance even if all

parties agree to the motion.

4. An uninsured corporation shall appear by a designated representative who is authorized to discuss and make recommendations relating to settlement.

Before arriving at the Settlement Conference, counsel of record and *pro se* litigants must make a good faith effort to settle the case without the involvement of the Court.

On or before **SEPTEMBER 26, 2011**, each party shall provide the undersigned United States Magistrate Judge with a concise statement of the relief the party is seeking, the evidence the party expects to produce at trial and a summary of negotiations to date. These settlement statements shall be in letter form and kept in confidence by the Court for the purposes of the settlement conference. The Court will also keep in confidence all matters communicated during the course of the settlement conference and all that will be disclosed to the assigned trial judge is a verification that the parties and all persons with settlement authority appeared, participated in good faith and either did or did not settle the case.

The Court reserves jurisdiction to impose sanctions, as may be appropriate, in the event any party, counsel of record, or person with settlement authority fails or refuses to attend the settlement conference or does not participate in good faith.

Any request for changes of the date and/or hour of the Settlement Conference must be addressed to the undersigned either by written motion or letter with copies provided to all persons and counsel entitled to notice.

IT IS SO ORDERED.

Robert Hayes Scott

UNITED STATES MAGISTRATE JUDGE